

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RICHARD SIMKINS, III,	:	
Plaintiff,	:	
v.	:	Case No. 3:19-cv-227
CHRISTOPHER MCINTOSH, <i>et</i>	:	JUDGE WALTER H. RICE
<i>al.</i> ,	:	
Defendants.	:	

DECISION AND ENTRY ADOPTING REPORT AND
RECOMMENDATIONS (DOC. #116) OF UNITED STATES
MAGISTRATE JUDGE, NOTING THAT NO OBJECTIONS THERETO
HAVE BEEN FILED; SUSTAINING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT (DOC. #115) AND ORDERING THE ENTRY
OF FINAL JUDGMENT IN FAVOR OF DEFENDANT BLAKE AND
AGAINST PLAINTIFF HEREIN, REQUEST OF MAGISTRATE JUDGE
PETER B. SILVAIN, JR.

On December 7, 2021, United States Magistrate Judge Peter Silvain, Jr., issued a Report and Recommendations, Doc. #116, recommending that the Court overrule Plaintiff's Motion for Summary Judgment, Doc. #115, as to claims brought against Defendant Joseph Blake, M.D. Although Plaintiff was notified of his right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, no Objections were filed within the time allotted.

Based on the reasoning and citations of authority set forth in the Report and Recommendations, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety, Doc.

#116, and OVERRULES Plaintiff's Motion for Summary Judgment, Doc. #115. As the Magistrate Judge noted, the Court has already dismissed all claims against Dr. Blake. *See* Doc. #113. Judgment is hereby entered in favor of Dr. Blake and against Plaintiff.

The Magistrate Judge is directed to convene a scheduling conference in this case as soon as possible to set deadlines with respect to the claims against the remaining Defendants.

Date: February 1, 2022



WALTER H. RICE
UNITED STATES DISTRICT JUDGE